

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/726,380	12/01/2000		0.00	50212-168	11	1	1

CONFIRMATION NO. 1261

MCDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, DC 20005-3096

RECEIVED

JAN 30 2001

FILING RECEIPT



OC00000005711514

McDermott, Will & Emery

Date Mailed: 01/26/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Toshiaki Okuno, Residence Not Provided;

Continuing Data as Claimed by Applicant**Foreign Applications**

JAPAN 11-344768 12/03/1999

If Required, Foreign Filing License Granted 01/18/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Optical communication system and method of assigning signal channels

Preliminary Class

03/19/2001 17:00:00 00000113-500417 09726380
 01/16/01 7:10:00 CH
 02/16/01 1:30:00 CH
 03/16/01 1:30:00 CH

Date: 01/26/2001

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

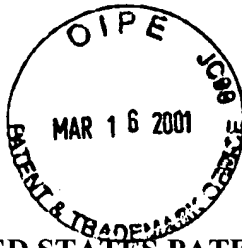
No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Docket No.: 50212-168



PATENT

Handwritten signature/initials

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Toshiaki OKUNO

Serial No.: 09/726,380

Group Art Unit:

Filed: December 01, 2000

Examiner:

For: OPTICAL COMMUNICATION SYSTEM AND METHOD OF ASSIGNING SIGNAL CHANNELS

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
Washington, DC 20231

Sir:

Attached is a copy of the Filing Receipt received from the U.S. Patent and Trademark Office in the above-referenced application. It is noted that the Number of Total Claims and the Number of Independent Claims is incorrect on the Filing Receipt. It is noted that this application contains **6 Total Claims** and **2 Independent Claims**. It is requested that a corrected filing receipt be issued.

Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 500417 and please credit any excess in fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Handwritten signature of Gene Z. Robinson

Gene Z. Robinson
Registration No. 33,351

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 GZR:dtb
Date: March 16, 2001
Facsimile: (202) 756-8087



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
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Date: 01/26/2001

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NOT GRANTED

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/726,380	12/01/2000	Toshiaki Okuno	50212-168

CONFIRMATION NO. 1261

FORMALITIES LETTER



OC000000005711515

MCDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, DC 20005-3096

Date Mailed: 01/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.
- **The balance due by applicant is \$ 970.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

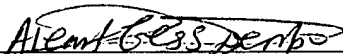
The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

SCANNED # 14

- drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);

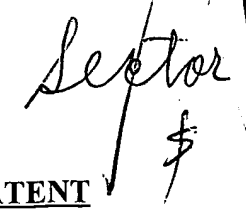
A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

7/14
SCANNED



PATENT

For: OPTICAL COMMUNICATION SYSTEM AND METHOD OF ASSIGNING SIGNAL CHANNELS

01 FC:101	710.00 CH
02 FC:105	130.00 CH
03 FC:139	130.00 CH

09/726,380

shortage in fees due in connection with the filing of this paper, including extension of time fees,
to Deposit Account 500417 and please credit any excess fees to such deposit account.

It is requested that a corrected official filing receipt now be issued.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Gene Z. Robinson
Registration No. 33,351

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 GZR:dtb
Date: March 16, 2001
Facsimile: (202) 756-8087

SCANNED # 14

Atty Docket PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Toshiaki OKUNO
No. : 09/726,380
Filed : December 01, 2000
For : OPTICAL COMMUNICATION SYSTEM AND METHOD OF ASSIGNING
SIGNAL CHANNELS

DECLARATION AND VERIFIED TRANSLATION

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

I, Shiro TERASAKI, a Japanese Patent Attorney registered No. 9265 having my business office at Okura-Honkan (Bldg.), 6-12, Ginza 2-chome, Chuo-ku, Tokyo, Japan, hereby declare and say: that I am thoroughly conversant with both the Japanese and English languages; and, that the attached document represents a true English translation of United States Patent Application as filed in accordance with 37 CFR Section 1.52(d) in the Japanese language on December 01, 2000 which is claimed and for which a patent is sought on the invention entitled OPTICAL COMMUNICATION SYSTEM AND METHOD OF ASSIGNING SIGNAL CHANNELS.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this 7th day of March, 2001.

Signature:

Name: Shiro TERASAKI

SCANNED 4/14